



Belgium

International Religious Freedom Report 2005

Released by the Bureau of Democracy, Human Rights, and Labor

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and Government policy continued to contribute to the generally free practice of religion. However, the Government continued to observe and research groups that a parliamentary commission's unofficial report labeled "harmful sects."

The generally amicable relationship among religions in society contributed to religious freedom. Some Muslim community leaders and spokespersons for non-recognized religions cited instances of discrimination by government officials. There were also isolated instances of discrimination by private individuals.

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights. During the period covered by this report, the United States urged government officials to intensify their efforts to fight anti-Semitism, racism, and promote religious freedom, and has cooperated with the Belgian government on Muslim outreach programs.

Section I. Religious Demography

The country has an area of 11,780 square miles, and its population is approximately 10.3 million.

The population is predominantly Roman Catholic. According to the 2001 Survey and Study of Religion, jointly conducted by a number of the country's universities and based on self-identification, approximately 47 percent of the population identify themselves as belonging to the Roman Catholic Church. According to these figures, the Muslim population numbers approximately 364,000, and there are an estimated 328 mosques in the country. Protestants number between 125,000 and 140,000. The Greek and Russian Orthodox Churches have approximately 70,000 adherents. The Jewish population is estimated at between 45,000 and 55,000. The Anglican Church has approximately 10,800 members. The larger non-recognized religions include Jehovah's Witnesses (25,000), independent Protestant congregations, Adventists, the Church of Scientology, Mormons, Buddhists, Hindus, Sikhs and Hare Krishnas.

Estimates indicate that approximately 15 percent of the population does not identify with any religion. Approximately 7.4 percent of the population describes itself as "laic" (members of nonconfessional philosophical organizations), and another 1.1 percent belongs to organized laity that receives funding for its programs.

According to a 1999 survey by an independent academic group, 11.2 percent of the Roman Catholic population attends weekly religious services; the Catholic Church has estimated that church attendance ranges between 10-15 percent. Religion plays a role in major life events. As of 1999, with regard to the Catholic population, 65 percent of the children born in the country were baptized; 49.2 percent of couples opted for a religious marriage; and 76.6 percent of funerals included religious services.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion, and the Government respects this right in practice.

The Government accords "recognized" status to Roman Catholicism, Protestantism (including evangelicals and Pentecostals), Judaism, Anglicanism, Islam, and Orthodox Christianity (Greek and Russian). Representative bodies for these religions receive subsidies from government revenues. The Government also supports the freedom to participate in laic organizations. These secular humanist groups serve as a seventh recognized "religion," and their organizing body, the Central Council of Non-

Religious Philosophical Communities of Belgium, receives funds and benefits similar to those of the six recognized religions.

The Federal Government and Parliament have responsibility for recognizing faiths and paying the wages and pensions of ministers of those faiths.

As a result of constitutional reforms enacted by Parliament in 2001, religious instruction, financial accountability of religious groups, and religious buildings have become the jurisdiction of the regional governments. Laic organizations remain under the jurisdiction of the federal authorities.

By law, each recognized religion has the right to provide teachers at government expense for religious instruction in public schools. The Government also pays the salaries, retirement benefits, and lodging costs of ministers and subsidizes the construction and renovation of religious buildings for recognized religions. The ecclesiastical administrations of recognized religions have legal rights and obligations, and the municipality in which they are located must pay any debts that they incur. Some subsidies are the responsibility of the federal government, while the regional and municipal governments pay others. In 2003, the Government paid salaries for 6,929 ministers of the Catholic faith, 123 ministers of the Protestant Evangelical faith, 14 ministers of the Anglican faith, 41 ministers of the Jewish faith, and 53 ministers of the Orthodox faith. (These figures include part-time functions.) While the Government is prepared to pay salaries for Muslim imams, the Muslim community has not yet finalized a proposal for the Government to do so. For salaries only, this amounted to a total wage cost of 77.2 million euro for the Catholic faith, 2.8 million euro for the Protestant faith, 0.3 million euro for the Anglican faith, 0.7 million for the Jewish faith and 1.0 million euro for the Orthodox faith.

In 2004, total outlays for ministers of the faith amounted to 82 million euro, and nine million euro for the laic organizations. As there was no agreement reached on recognizing mosques, 1.7 million euro earmarked for the Muslim faith was not dispensed. For 2005, the budgetary outlays were 79.5 million euro for the recognized faiths, 9.3 million euro for the laic organizations and six million euro for the Muslim faith.

In 2004, the federal government, and the regional governments of Flanders, Wallonia and Brussels formally signed a cooperation agreement to put into effect the 2001 Constitutional agreement. This allows the regions to enact their own legislation for the religious and philosophical organizations coming under their jurisdiction.

The Government applies five criteria in deciding whether to grant recognition to a religious group: the religion must have a structure or hierarchy; the group must have a sufficient number of members; the religion must have existed in the country for a long period of time; it must offer a social value to the public; and it must abide by the laws of the State and respect public order. The five criteria are not listed in decrees or laws, and the Government does not formally define "sufficient," "long period of time," or "social value." A religious group seeking official recognition applies to the Ministry of Justice, which then conducts a thorough review before recommending approval or rejection. Final approval of recognized status is the responsibility of the Parliament alone; however, the Parliament generally accepts the decision of the Ministry of Justice. A group whose application is refused by the Ministry of Justice may appeal the decision to the Council of State. No minority religious group has attempted and failed to be registered in the last 3 years.

The lack of recognized status does not prevent a religious group from practicing its faith freely and openly. Nonrecognized groups do not qualify for government subsidies; however, they may qualify for tax-exempt status as nonprofit organizations.

The Muslim faith was recognized in 1974. Since then, the Government has tried to find reliable interlocutors capable of speaking for the entire Muslim community. In 1998, elections for a Muslim Council and a smaller Executive Committee (Executive) were organized to represent the Islamic faith. While the Executive received government funding during the period covered by this report, mosques, imams, and Islamic schools and teachers did not. Subsidies have not been paid to mosques and imams, despite the Government's official recognition in 1998 that the Executive would serve as the administrative instrument for distributing government subsidies. The Government pledged in 2004-05 that as soon as a new Council and Executive were formed it could begin the process of paying approved clergy and teachers. However, regional governments are still in the process of recognizing mosques eligible for funding.

In late 2004, Justice Minister Laurette Onkelinx, called new Muslim Council elections; the Council in turn would choose a new Executive. In response to growing concern about radical fundamentalism and links to terrorism in the country, she proposed that candidates for the Executive would be subjected to vetting by the State Security. In early 2005, Parliament adopted legislation providing an improved legal basis for a wide range of security checks. These laws were applied to candidates for the Muslim Executive. These measures and electoral procedures were protested and challenged in court by the outgoing leadership of the Executive Committee, which also promoted a boycott of the elections, which were held on March 20, 2005. The Council of State, the highest court for the matter turned down the appeal.

Only 45,000 registered voters turned up at the polling stations. The low turnout was explained by the election boycott organized by several mosques, especially in Brussels, by the Antwerp-Mechelen based Arab European League (AEL), and also by the outgoing Muslim Executive, who encouraged their largely ethnic North African Arab constituents not to vote. The election resulted in a landslide victory for ethnic Turkish Muslims who won 40 of the 68 Council seats. The ethnic Moroccan community won only 20 seats, despite constituting a substantial majority of the Muslim population. Six seats went to candidates originating from other countries, and two converted Belgians won the remaining seats. In light of the boycott organized by Moroccan mosques and the Muslim Executive, the result was not surprising.

Moreover, the Turkish community of the country had actively prepared for the elections. Thus, the most successful candidates were young Turks, and the most successful was Hacer Duzgun, a young Turkish woman who actively canvassed her Limburg province. She was one of the five women elected to the Council. Her tally of 3,640 votes contrasted starkly with the mere 307 votes won by the leading Moroccan candidate from Brussels, where the largest Muslim community lives. At the first meeting of the new Council, Turkish and Moroccan elected council members found common ground, and chose a Moroccan as head of the Council. Neither the Chairman of the Muslim Executive, chosen by the seventeen-member executive board elected by the council, nor the executive board was selected by the end of the period covered by this report. The Chairman and the Executive are responsible for direct relations with the federal government and for the payment of support for mosques, clerics and teachers. Most of the Community, including most of those who had boycotted the elections, were waiting to see how the court rules on a challenge to the legislation permitting the elections.

In 1993 the Government established by law the Center for Equal Opportunity and the Struggle against Racism. Commonly known as the Anti-Racism Center, it is an independent agency responsible for all non-gender related discrimination, including religious. Although formally part of the Office of the Prime Minister, it is under the guidance of the Ministry of Social Integration. Its head is appointed by the Prime Minister for six years, but the Prime Minister may not remove the individual once appointed. Several nongovernmental organizations such as the Movement against Racism, Anti-Semitism, and Xenophobia, the Ligue des Droits de l'Homme and the Liga voor Mensenrechten are also active in promoting religious freedom. The Government hosted an Organization for Security and Cooperation in Europe (OSCE) conference against Racism in September 2004, to follow the May OSCE Anti-Semitism Conference in Berlin.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion; however, the Ministry of Justice and Parliament continued to observe and monitor some of the nonrecognized religious groups that were included in a 1997 parliamentary committee report on "harmful sects."

A special Parliamentary Commission was established to examine the potential dangers posed by sects and issued a report in 1997 that divided sects into two broadly defined categories. Although there are no illegal sects as such, the commission defined the first category of "respectable" sects as "organized groups of individuals espousing the same doctrine with a religion," which reflect the normal exercise of freedom of religion and assembly provided for by fundamental rights. The commission defined the second category, "harmful sectarian organizations," as groups having or claiming to have a philosophical or religious purpose and whose organization or practice involves illegal or injurious activities, harm to individuals or society, or impairment of human dignity.

The report included as an annex an alphabetical list of the 189 religious sectarian organizations with comments. Although the introduction to the list stated that there was no intent to characterize any of the groups as "dangerous," the list quickly became known in the press and to the public as the "dangerous sects" list. The Parliament eventually adopted two of the report's recommendations, establishing two new government bodies, but it never adopted the list, which has no legal standing.

Some religious groups such as the Church of Scientology and the Jehovah's Witnesses included in the 1997 parliamentary list continued to complain that their inclusion has resulted in discriminatory action against them. In 2003, a report issued by the International Helsinki Federation for Human Rights asserted that the Government had not taken any effective measures to counteract the hostility and discrimination suffered by members of religious groups depicted as "sects." The Government has not responded, claiming that there have been no official complaints.

As a result of the committee report, Parliament passed a law establishing two bodies: a group monitoring harmful sects and an interagency coordinating group on harmful sects. The first body, the Center for Information and Advice on Harmful Sectarian Organizations, collects publicly available information on a wide range of religious and philosophical groups and provides information and advice to the public upon request regarding the legal rights of freedom of association, privacy, and freedom of religion. There are eight board members who are allowed to serve a renewable 6-year term. The Center's library is open to the public and contains information on religion in general, as well as on specific religious groups, including information provided by those groups. The Center has the authority to share with the public any information it collects on religious sects; however, it does not have the authority to provide assessments of individual sectarian organizations to the general public. Despite its name, the regulations prohibit it from categorizing any particular group as harmful. Testifying behind closed doors for the House of Representatives working group on sects, the head of the Center told House members that in 2004 the Center had received more than 500 inquiries about sectarian organizations. Seventeen percent of the queries came from public institutions. Reportedly there were a growing number of questions about evangelical and Pentecostal (8 percent) churches. Most queries (21 percent) concerned Jehovah's witnesses. Some inquiries (12 percent) related to faith healing.

The second body established by Parliament, the Interagency Coordination Group, deals primarily with confidential material and works with the legal and security institutions of the Government to coordinate government policy. In theory it meets quarterly to exchange information on sect activities; however, it met only once during the period covered by this report. It produces no publicly available reports. The Government also has designated the Federal Prosecutor and a magistrate in each of the 27 judicial districts to monitor cases involving sects.

The 1997 parliamentary report also recommended that municipal governments sponsor information campaigns to educate the public, especially children, about the phenomenon of harmful sects. A 1998 law formally charges the country's State Security

Service with the duty of monitoring harmful sectarian organizations, including radical Islamic groups, as potential threats to the internal security of the country. A subgroup of law enforcement officials meets bimonthly to exchange information on sect activities. Most law enforcement agencies have an official specifically assigned to handle sect issues; however, they act only on the basis of filed complaints.

There have been no prosecutions of harmful sects; however, in 2003, as part of a criminal investigation, a prosecutor froze approximately \$375,000 in a Belgian Church of Scientology bank account on suspicion of money laundering. Later in 2003, the prosecutor unfroze those funds; however, he continued to direct a prior criminal investigation into the activities of certain Belgian Church of Scientology officials on suspicion of fraud, privacy violations, and criminal association. The investigation began in 1997, and the Belgian Church's offices were raided in 1999.

In 2004, the criminal investigation into the Belgian Church of Scientology's operations was completed and the file delivered to the prosecuting office. By the end of the period covered in this report, no charges had yet been formally filed. The Church also came under attack from a Member of Parliament Andre Frederic who chairs the House of Representatives working group on sects. He complained to the press about the Church's "intense lobbying." Early in 2005, at the peak of the tsunami help effort, he addressed a letter to the Foreign Minister, urging the minister to make sure that Church of Scientology aid workers would not make use of aid and funds sent by the country.

In 2002, a suspect in the criminal investigation discovered a report on the Church of Scientology compiled by the State Security Service. The report analyzed Church of Scientology activities and doctrine internationally as well as locally. Since late 2003, the Church of Scientology International has sought to establish a dialogue with the Government to address government information and analysis contained in this report and elsewhere, although without success.

In 2003, the International Church of Scientology opened its European Office for Public Affairs and Human Rights in Brussels. The print and broadcast media stated that the Government had declared the Church "harmful" in 1997. The opening of this office, in spite of that determination, was cited by at least one leading publication as reason to increase the budget of the Center for Information and Advice on Harmful Sects. The Government did not directly dispute these allegations; however, government officials regularly stated that there was no official list of "harmful sects." The International Church continued to operate unhindered by government action, although some local permits for the Belgian Church's activities were denied, in part based on the Church's appearance on the "harmful sects list."

The Mormon Church continues to express some concerns about obtaining visas for its missionaries. Mormon missionaries, who work as unpaid volunteers, do not qualify to obtain the work permits necessary to obtain visas under the Foreign Worker's Act of 1999, because of the unrecognized status of the Church of Latter-day Saints. In June 2002, through the efforts of Church officials and the U.S. Embassy, the Ministry of the Interior and the Ministry of Foreign Affairs agreed to exempt volunteer Mormon missionaries from the certificate requirement. Since then, there were no reports of any restrictions on the activities of visa recipients. In 2003, Mormon Church representatives appealed to the Government to formalize the agreement in writing. However, the Government has not done so, stating it would set a legal precedent that other non-religious foreign workers could try to exploit.

In October 2004, the city of Brussels reneged on a contract with the Genealogical Society of Utah for digitalizing the city archives, free of charge. A city official explained that Brussels did not want to become associated with the Mormon Church, "an organization appearing on the parliamentary sects list."

Some courts in the Flanders region have stipulated, in the context of child custody proceedings and as a condition of granting visitation rights, that a noncustodial parent who is a member of Jehovah's Witnesses may not expose his or her children to the teachings or lifestyle of that religious group during visits. These courts claimed that such exposure would be harmful to the child; however, other courts have not imposed this restriction, and other sources state that custody issues rather than religion prompted the decisions.

Religious or "moral" instruction was mandatory in public schools, and provided according to the student's religious or nonreligious preference. All public schools offered a teacher for each of the six recognized religions. A seventh choice, a nonconfessional or secular moral instruction course was available if the child did not wish to attend a religious course. Public school religion teachers were nominated by a committee from their religious group and appointed by the Minister of Education. Private authorized religious schools that follow the same curriculum as the public schools were known as "Free" schools, and receive government subsidies for working expenses and teacher salaries. Almost all of "Free" schools were Roman Catholic, and they offered only Roman Catholic religious instruction.

There were no reports of religious prisoners or detainees.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Abuses by Terrorist Organizations

There were no reported abuses targeted at specific religions by terrorist organizations during the period covered by this report.

Section III. Societal Attitudes

The generally amicable relationship among religions in society contributed to religious freedom; however, several religious groups report incidents of discrimination, particularly Jews and Muslims, as well as religious groups that have not been accorded official "recognized" status by the Government.

Prejudice in the private sector against members of the Muslim community was not unknown, affecting housing, employment and in some cases education. However, these prejudices affected primarily the North African communities (including both immigrant and first-generation). Muslims of Turkish and other national origins appeared to be far less frequently the targets of such prejudice, which can be described as more ethnic than religious.

In one instance of obvious religious discrimination, a Muslim woman of Turkish origin resigned her job with a food packing concern in Flanders, after she and her employer received multiple threats. The woman was singled out because she wore a Muslim headscarf. When the story broke, however, public outcry encouraged her to go back to work and the employer insisted he would not give in to threats. The police arrested a suspect, and the prosecution was being prepared.

The Jewish community registered 46 anti-Semitic incidents during 2004. Most incidents took place in Antwerp and to a lesser extent in Brussels. The remaining incidents occurred in Knokke, Ghent, Charleroi and Hasselt. Verbal abuse was the most common complaint. There were nine physical attacks registered, of which seven took place in Antwerp. As in the past, the incidents appeared to be generated from the Muslim immigrant community. In one incident in late 2004, a local youth soccer team was suspended from play and its government funding cut off after the team directed anti-Semitic slogans at its opponent, a Jewish-organized Maccabi team. While the punishments were suspended several months later, the point was made. In general, following visible engagement of the Government, the incidence and severity of violent anti-Semitic incidents appeared to significantly decline, especially in the first half of 2005, compared to the previous year.

In mid 2004, the Government launched a major effort to address anti-Semitism, coordinated by the then-Minister for Social Affairs and the Justice Ministry. This effort included enhanced protection of Jewish sites and events, stepped up investigative and prosecutorial efforts, and education.

King Albert II and the Government carried out a highly visible campaign of support for the Jewish community, and addressed some of the issues of the country's past. In January 2005, both King Albert II and Prime Minister Verhofstadt led a delegation including prominent Jewish community representatives to the 60th Anniversary commemoration of the liberation of Auschwitz in Poland. A joint overseas visit by both the heads of state and government was without precedent. The following month, after a visit by the Foreign Minister to Israel, the Prime Minister went to Jerusalem for the commemoration of the Yad Vashem Holocaust memorial complex. There, even more explicitly than he had at Auschwitz, Verhofstadt apologized for the actions of some Belgians in abetting the Holocaust. Such public displays boosted morale in the Jewish community and appeared to have helped deter anti-Semitic incidents.

The Center for Equal Opportunity and the Fight against Racism, an independent government agency, reported that 7.5 percent of the discrimination complaints filed with the Center during 2002 cited religion as the basis of the alleged discrimination. In June 2005, the Center released a report covering 2004, which provided, among other topics, information on anti-Semitism.

At the national level, there is an annual general assembly of the National Ecumenical Commission to discuss various religious themes. The Catholic Church sponsors working groups at the national level to maintain dialogue and promote tolerance among all religious groups. At the local level, every Catholic diocese has established commissions for interfaith dialogue. The President of the National Ecumenical Commission maintains contacts with leaders of other faiths, including both recognized and unrecognized religious groups.

In March 2005, the Center for Equal Opportunity issued a comprehensive report on public symbols of religious and philosophical convictions. The 2003 act made discrimination on religious and philosophical grounds unlawful. The report found that neither Flemish nor Francophone schools imposed restrictions given by the governing authorities and that it was left to the individual schoolmasters to decide on what signs would be tolerated. Most schoolmasters in the country imposed a headscarf ban for both pupils and teachers. A survey released in 2004 showed that in Brussels, of 110 surveyed schools, only 8 allowed headscarves. Schools on both sides of the Belgian linguistic border allow free days for attending religious festivals. The public educational system, from kindergarten to university, requires strict neutrality for teaching personnel, except for teachers of religion. The subsidized Catholic educational institution (which constitutes the largest number of educational establishments nationwide) allows the wearing of religious symbols. Schoolmasters also opposed the invoking of religious grounds for not attending certain courses, physical education classes in particular.

The federal government has no specific directives on wearing religious symbols. The same applies in regional and municipal services. Wearing religious symbols is prohibited for selected public service officials, such as judges, police, and other uniformed officials.

Section IV. U.S. Government Policy

The U.S. Government regularly discusses religious freedom issues with the Government as part of its overall policy to promote human rights.

U.S. Embassy representatives have discussed the issue of religious freedom with officials from the Prime Minister's Office, the Ministries of Justice, Foreign Affairs, Social Integration, and Interior, as well as with Members of Parliament, and regional and local officials.

Embassy officials expressed concern regarding anti-Semitic incidents and urged the Government to intensify its efforts to counter this trend. Following Embassy engagement with both Federal and language community officials, supporting the efforts of the U.S. Special Envoy for Holocaust Issues, the country formally applied to join the international Task Force on Holocaust Education, Remembrance, and Research. The application had been delayed because of the overlapping competencies on the issue among the federal, regional and language community governments, but all eventually agreed to provide the needed funding.

The Embassy hosted individual events specifically for the Jewish, Catholic and Muslim leaders to encourage dialogue with the U.S. Government, the latter as part of a wider program of outreach to the Muslim community. Embassy officials also met with representatives of both recognized and nonrecognized religions that reported some form of discrimination during the period covered by this report.

Released on November 8, 2005

[International Religious Freedom Report Home Page](#)